

## REMARKS

Claims 43-47, 49-51, 53, 54 and 58-65 remain pending in the application. The claims stand rejected as being either anticipated by Summerfelt (claim 43), or as being unpatentable over Summerfelt in view of Sone (claims 43-47, 49, 51, 53, 54 and 58-65). The undersigned conducted a telephone interview with the Examiner on May 9, 2003. During such interview, the allowability of the claims relative to the cited references of Summerfelt and Sone was discussed. Specifically, it was discussed that the references of Summerfelt and Sone do not suggest or disclose all of the recited aspects of the claims. Specifically, it was noted that each of the claims recites a dielectric material containing two layers which have common aspects in composition to one another but which differ in crystallinity relative to one another. Such aspect of the claims is not shown or suggested by the cited references.

It is noted that Summerfelt clearly indicates that the dielectric materials described therein comprise multiple layers having differing compositions relative to one another. For instance, the figures of Summerfelt describe a dielectric materials comprising layers 32, 34 and 36 where the middle layer (34) is a different composition than the outer layers (32 and 36). Summerfelt indicates that the middle layer is a so-called HDC material, whereas the outer two layers are so-called MDC layers, and further indicates that HDC materials have different compositions than MDC materials (see, for example, col. 1, lines 44-67). The cited reference of Sone also does not disclose a dielectric material comprising two layers having different crystallinity relative to one another. Instead, Sone discloses a process wherein a single layer is formed first in an amorphous phase, and subsequently the layer is

converted to a crystalline phase. Thus, instead of showing two layers having different phases relative to one another, Sone is describing a single layer which is converted from an amorphous phase to a crystalline phase. (See, for example, col. 4, lines 16-21 of Sone, as well as examples 1-3 of Sone.)

The Examiner agreed with Applicant's position that the claims are not shown or suggested by Summerfelt and Sone, but suggested that Applicant also consider a new reference of Ren (U.S. Patent No. 6,507,060), and discuss the allowability of the claims relative to Ren either alone, or in combination with Summerfelt and Sone. The reference of Ren has been reviewed, and it is believed that the pending claims are allowable over Ren, and any combination of Ren with the other cited references of Summerfelt and Sone. Specifically, the pending claims recite a dielectric material containing two layers which have common aspects of composition relative to one another, but which differ in crystallinity. Ren, like Summerfelt and Sone, does not disclose or suggest the recited feature of a dielectric material containing two layers which have common aspects of composition relative to one another, but which differ in crystallinity. Instead, Ren describes dielectric material "sandwich structures" of PT/PZT/PT (see, for example the abstract of Ren and col. 2, lines 60-64 of Ren). Thus, Ren is describing a dielectric material of different layers which are different in composition relative to one another, rather than having the similarities in composition recited in the pending claims 43-47, 49, 51, 53, 54 and 58-65. The pending claim to which Ren is most similar is probably claim 64, which recites lead zirconium titanate in two layers of a dielectric material that differ in crystallinity relative to one another. Claim 64 contrasts with Ren for at least the reason that Ren's structure has only a single layer comprising lead zirconium titanate, and Ren thus does not disclose or suggest a

structure having two layers comprising lead zirconium titanate and differing in crystallinity relative to one another.

For the above-discussed reasons, claims 43-47, 49, 51, 53, 54 and 58-65 are believed allowable over the Examiner's cited references, and Applicant therefore requests formal allowance of such claims in the Examiner's next Action.

Applicant notes that the cited reference of Ren is not yet officially of record in the application, as Ren was not listed in the form PTO-892 with the other references cited by the Examiner (Sone and Summerfelt). Applicant therefore respectfully requests that the Examiner include with the Notice of Allowance a form PTO-892 indicating that Ren (U.S. Patent No. 6,507,060) has been cited and considered in the present application.

Respectfully submitted,

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By: 

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